

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

KENDALL BURTON,

Plaintiff,

v.

JAMES, et al.,

Defendants.

No. 2:21-cv-0889 AC P

ORDER

Plaintiff, a state prisoner proceeding pro se and in forma pauperis, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.


Plaintiff settled this case together with another case pending in this court of March 7, 2022. ECF No. 8. After plaintiff failed to file dispositional documents by the deadline, the undersigned ordered him on May 24, 2022, to file a notice of voluntary dismissal pursuant to the plea agreement within fourteen days.<sup>1</sup> Plaintiff has not filed a notice of voluntary dismissal within the time provided. Consequently, plaintiff will be given fourteen days to show cause why the court should not dismiss this case pursuant to the settlement agreement and/or for failure to follow court orders.

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<sup>1</sup> The complaint in this case had not been served and no defendant has appeared, so a stipulation for dismissal is not required by Rule 41.

1 Accordingly, IT IS HEREBY ORDERED that within fourteen days, plaintiff shall show  
2 cause in writing why this action should not be dismissed for failure to obey a court order and/or  
3 pursuant to the settlement agreement reached and affirmed on the record in this case and Burton  
4 v. Jimenez, No. 2:19-cv-1461 JAM AC P. See ECF No. 8. The filing of a Notice of Voluntary  
5 Dismissal will discharge this order. Failure to timely respond to this order will result in a  
6 recommendation that this matter be dismissed.

7 DATED: June 15, 2022

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9 ALLISON CLAIRE  
10 UNITED STATES MAGISTRATE JUDGE  
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